

June 10, 2004

MEMORANDUM TO: Office Directors and Regional Administrators
(See Attached List)

FROM: Paul E. Bird, Director **/RA/**
Office of Human Resources

SUBJECT: GUIDANCE FOR EXTENDING WAIVERS OF DUAL COMPENSATION
LIMITATIONS

All NRC Office Directors and Regional Administrators were informed recently (ML041540473) that the Office of Personnel Management (OPM) has extended the NRC's delegation of authority to approve waivers of dual compensation limitations in certain circumstances to rehire annuitants without salary offset. Because the delegation was previously set to expire on June 30, 2004, all employees who had previously been approved under the waiver are on time-limited appointments that terminate on June 30. Now that the delegation has been extended, however, these appointments may be extended through the end of the NRC's consultant year, September 30, 2004.

Our records show that your office employs one or more consultants under a dual compensation waiver. If you wish to extend the consultant's appointment beyond June 30, and if the waiver is still justified under the original terms of approval (i.e., if the consultant is still needed to work in the same mission-critical area for which the original appointment was approved), please submit a Request for Personnel Action (SF-52)/Extension of Appointment to Joyce Riner of my office. The not-to-exceed date on the SF-52 must be no later than September 30, 2004. These extensions do not require action through the FEPCA Panel. **If you do not extend the appointment, the consultant may not work after June 30.**

Please be aware that all consultants, including those working under a waiver, are limited to 130 work days per fiscal year. **That limit has not been increased by the extension of the OPM delegation.** Further, the OPM authority limits consultants to 1040 work hours per fiscal year. That number has also not been increased. You should review all consultants' pay records to determine how many work days and how many work hours remain available under those limitations, and adjust consultants' work schedules accordingly.

As I have noted previously, these waivers should be used only rarely. They are intended to provide a temporary means of filling narrowly-defined critical needs when other staffing avenues have been unsuccessful.

Contact Carolyn Swanson of OHR on (301) 415-7530 if you have any questions about these guidelines, or Joyce Riner of OHR on (301) 415-3749 if you have questions about preparing and submitting an SF-52.

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NAME	CSwanson	JMcDermott	PBird
DATE	6/7/2004	6/9/2004	6/10/2004

OFFICIAL RECORD COPY

MEMORANDUM TO THOSE ON THE ATTACHED LIST DATED: June 4, 2004

SUBJECT: GUIDANCE FOR EXTENDING WAIVERS OF DUAL COMPENSATION LIMITATIONS

James E. Dyer, Director, Office of Nuclear Reactor Regulation
Jack R. Strosnider, Director, Office of Nuclear Materials Safety and
Safeguards
Carl J. Paperiello, Director, Office of Nuclear Regulatory Research
Hubert J. Miller, Regional Administrator, Region I
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